

**FILED**

DEC 11 2008

Clerk, U.S. District and  
Bankruptcy Courts

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Abdullah Brown,

Plaintiff,

v.

Harley G. Lappin *et al.*,

Defendants.

Civil Action No.

**08 2146**

MEMORANDUM OPINION AND ORDER

Plaintiff, proceeding *pro se*, is a prisoner at the Federal Correctional Institution in Big Spring, Texas. He has submitted a motion for a temporary restraining order, which is also treated as his complaint, and a motion to proceed *in forma pauperis*. The Court will provisionally file this action, grant the *in forma pauperis* motion for the limited purpose of denying the motion for a temporary restraining order, and stay further proceedings pending plaintiff's compliance with the filing fee requirements of the Prison Litigation Reform Act.

A temporary restraining order can be issued only if:

specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition[.]

Fed. R. Civ. P. 65(b)(1). Plaintiff alleges that he has been terminated from his prison job because of his disability. He seeks to be reinstated. Plaintiff has not shown that he will suffer immediate or irreparable loss, and it is "well settled that economic loss does not, in and of itself, constitute irreparable harm." *Gas Co. v. FERC*, 758 F.2d 669, 674 (D.C. Cir. 1985).

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Before the Court will consider any further the application to proceed *in forma pauperis* and the complaint, plaintiff must provide the following information to the Court. In accordance with 28 U.S.C. § 1915, plaintiff shall provide the Court with a certified copy of his trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this complaint, obtained from the appropriate official of each prison at which plaintiff is or was confined.

Federal law requires a plaintiff in a civil action to pay a filing fee of \$350.00. After submission of the trust fund information, the Court will determine plaintiff's ability to pay the entire amount in one payment. If the Court determines that plaintiff does not have sufficient funds to pay the filing fee at one time, the Court will assess an initial partial filing fee. After payment of the initial partial filing fee, monthly payments of 20 percent of the deposits made to the plaintiff's trust fund account during the preceding month will be forwarded to the clerk of the Court each time the account balance exceeds \$10.00. Payments will continue until the filing fee is paid. Accordingly, it is by the Court this 21<sup>st</sup> day of November 2008,

**ORDERED** that plaintiff's motion to proceed *in forma pauperis* is **GRANTED** only for the limited purpose of ruling on the motion for temporary restraining order; it is

**FURTHER ORDERED** that the motion for a temporary restraining order is **DENIED**; and it is

**FURTHER ORDERED** that within thirty (30) days from the filing date of this Order, plaintiff shall provide a certified copy of the plaintiff's trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of this complaint. Failure to comply with this Order will result in dismissal of the case.

  
United States District Judge